

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
DANIEL KAZEN,) CASE NO. 07-21532 JPK
) Chapter 7
Debtor.)

ORDER REGARDING FILED DOCUMENT

On August 3, 2007, the debtor individually, and not by counsel, filed a one-page document which apparently seeks to state an objection to a motion for relief from stay and abandonment filed by GMAC Mortgage, LLC on July 18, 2007. The record establishes that proper notice of this motion was provided to the debtor and to his attorney, stating a deadline for response of August 2, 2007.

First, the apparent objection states no grounds upon which the relief requested by the creditor could be denied. Secondly, the Trustee of the debtor's bankruptcy estate filed a report of no distribution on July 18, 2007, and did not respond to the motion for relief from stay and abandonment, thus establishing that in the Trustee's view the estate has no realizable interest in the subject property. Absent a realizable interest in the subject property for the bankruptcy estate for distribution to creditors, there is no basis to deny the requested relief. Finally, the Court entered an order on August 3, 2007 – following the expiration of the objection deadline – granting the motion for stay relief/abandonment. Apart from the fact that the objection was filed past the established deadline, the Court's order was entered before the objection was filed.

For the foregoing reasons, the Court finds that the apparent objection designated above states no grounds for sustaining it.

IT IS ORDERED that the Clerk shall docket and provide a copy of the above-designated correspondence to the Chapter 7 Trustee and to the debtor's counsel.

IT IS ORDERED that the above-designated objection is denied.

Dated at Hammond, Indiana on August 13, 2007.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor, Trustee, US Trustee